



# **AGENDA | REGULAR TOWN COUNCIL MEETING**

February 13, 2024 at 6:00 PM

Council Chambers - Apex Town Hall, 73 Hunter Street

The meeting will adjourn when all business is concluded or 10:00 PM, whichever comes first

## Town Council and Administration

Mayor: Jacques K. Gilbert | Mayor Pro Tempore: Ed Gray

Council Members: Audra Killingworth; Brett D. Gantt; Terry Mahaffey; Arno Zegerman

Interim Town Manager: Shawn Purvis

Assistant Town Managers: Demetria John and Marty Stone

Town Clerk: Allen L. Coleman | Town Attorney: Laurie L. Hohe

## **COMMENCEMENT**

Call to Order | Invocation | Pledge of Allegiance

## **CONSENT AGENDA**

All Consent Agenda items are considered routine, to be enacted by one motion with the adoption of the Consent Agenda, and without discussion. If a Council Member requests discussion of an item, the item may be removed from the Consent Agenda and considered separately. The Mayor will present the Consent Agenda to be set prior to taking action on the following items:

### **CN1 Agreement - Magnet Forensics Software - Digital Evidence Examination**

*Christy Wentzell, Police Captain, Apex Police Department*

### **CN2 Annexation No. 773 - 1075 South Hughes Street - Chick-Fil-A - 3.431 acres**

*Allen Coleman, Town Clerk*

### **CN3 Annexation No. 775 - 1133 Twin Creek Road - 2.80 acres**

*Allen Coleman, Town Clerk*

### **CN4 Annexation No. 776 - Sundance of NC, LLC - Salem Church Road - 2.90 acres**

*Allen Coleman, Town Clerk*

### **CN5 Appointments - Environmental Advisory Board (EAB)**

*Allen Coleman, Town Clerk*

### **CN6 Appointments - Environmental Advisory Board (EAB) - Chair/Vice-Chair**

*Allen Coleman, Town Clerk*

### **CN7 Budget Ordinance Amendment No. 12 - Electric Utility Operations**

*Eric Neumann, Director, Electric Utilities Department*

- CN8 Construction Contract Award - Hollins Construction Services, Inc. (HCS) - Reedy Branch Greenway and Capital Project Ordinance Amendment 2024-11**  
*Angela Reincke, Parks Planning Project Manager, Parks, Recreation, and Cult. Res. Dept.*
- CN9 Council Meeting Minutes - Various**  
*Allen Coleman, Town Clerk*
- CN10 Friendship Village Subdivision - Fee-in-Lieu (FIL)**  
*Jonathan K. Jacobs, P.E., CFM, Assistant Director, Water Resources Department*
- CN11 Resolution - Abandon Existing Utility Easements - Primrose School Site**  
*Steve Adams, Utilities Acquisition / Real Estate Specialist, Trans. Infra. Dev. Dept.*
- CN12 Rezoning Case No. 23CZ13 Seymour Mixed Use PUD - Statement and Ordinance**  
*June Cowles, Senior Planner, Planning Department*
- CN13 Rezoning Case No. 23CZ14 Salem Street Townhome PUD - Statement and Ordinance**  
*Liz Loftin, Senior Planner, Planning Department*
- CN14 Rezoning Case No. 23CZ15 Apex Gateway Ph. 2 Amendment Statement and Ordinance**  
*Amanda Bunce, Current Planning Manager, Planning Department*
- CN15 Rezoning Case No. 23CZ20 Sweetwater PUD Amendment - Statement and Ordinance**  
*Amanda Bunce, Current Planning Manager, Planning Department*
- CN16 Software License - Gladiator Forensics**  
*Christy Wentzell, Police Captain, Apex Police Department*
- CN17 Surplus Badge and Service Weapon - Retiring Sergeant John Jones**  
*Joey Best, Police Captain, Apex Police Department*
- CN18 Surplus Vehicles - 1999 GMC C8500 and 2008 International Workstar 7300**  
*Steve Maynard, Purchasing and Contracts Manager, Finance Department*
- CN19 Tax Report - December 2023**  
*Allen Coleman, Town Clerk*

## **PRESENTATIONS**

- PR1 Apex Public School Foundation - Quarterly Peak S.T.A.R. Awards - 2<sup>nd</sup> Quarter**  
*Councilmember Terry Mahaffey, Sponsor and  
Barbara Conroy Co-Founder and President of Apex Public School Foundation*
- PR2 Proclamation - Black History Month - February 2024**  
*Mayor Jacques K. Gilbert*

**PR3 Wake County 2024 Revaluation Results**

*Nicole Kreiser, Deputy Tax Administrator, Wake County Tax Administration Department*

**REGULAR MEETING AGENDA**

Mayor Gilbert will call for additional Agenda items from Council or Staff and set the Regular Meeting Agenda prior to Council actions.

**PUBLIC FORUM**

Public Forum allows the public an opportunity to address the Town Council. The speaker is requested not to address items that appear as Public Hearings scheduled on the Regular Agenda. The Mayor will recognize those who would like to speak at the appropriate time. Large groups are asked to select a representative to speak for the entire group. Comments must be limited to 3 minutes to allow others the opportunity to speak.

**PUBLIC HEARINGS**

**PH1 Unified Development Ordinance (UDO) Amendments - January 2024**

*Amanda Bunce, Current Planning Manager, Planning Department*

**OLD BUSINESS**

**OB1 Ordinance Amendment - Chapter 5 - Article 1 - Section 5 - Automatic Fire Sprinkler System Requirements (Discussion ONLY)**

*Councilmember Terry Mahaffey, Sponsor*

**NEW BUSINESS**

**UPDATES BY TOWN MANAGER**

**CLOSED SESSION**

Council will enter into closed session pursuant to:

**CS1 Demetria John, Assistant Town Manager and Steve Adams, Real Estate and Utilities Acquisition Specialist**

**NCGS § 143-318.11(a)(5)**

"To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a

contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease."

**CS2 Laurie Hohe, Town Attorney**

**RE: Town of Apex v. Briartac Family, LLC**

**NCGS § 143-318.11(a)(3):**

*"To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body."*

**CS3 Laurie Hohe, Town Attorney**

**NCGS § 143-318.11(a)(3):**

*"To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body."*

**ADJOURNMENT**